



1/10/05

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Atty. Dkt. No. 061300-0364

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Pillar et al.

Title: REFUSE VEHICLE CONTROL  
SYSTEM AND METHOD

Appl. No.: 10/668,002

Filing Date: 09/22/2003

Examiner:

Art Unit: 3652

**CERTIFICATE OF EXPRESS MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service's "Express Mail Post Office To Addressee" service under 37 C.F.R. § 1.10 on the date indicated below and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

EV 459170442 US  
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1/7/05  
(Date of Deposit)

Carolyn Simpson  
(Printed Name)

*Carolyn Simpson*  
(Signature)

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR §1.56**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56.

A copy of each non-U.S. patent document and each non-patent document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

**TIMING OF THE DISCLOSURE**

The listed documents are being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first Office Action on the merits, and within three (3) months of the mailing date of the foreign search report.

**RELEVANCE OF EACH DOCUMENT**

Some of the documents listed on the attached PTO/SB/08 were cited as being relevant during the prosecution of the corresponding International application. A copy of the International Search Report is attached setting forth the portion of each document considered relevant by the examiner.

From the abstracts, DE 40 41 483 relates to a tipping rig for large waste bins, incorporating hinge-mounted hooks to grip bin lid prior to emptying, EP 0 496 302 relates to a refuse vehicle with a lifting and dumping device for picking up and emptying refuse containers into a receiving chute of a collecting receptacle, and WO 96/32346 relates to a refuse-collection vehicle on which a replaceable container is detachably mounted by suitable means so that it can be moved out to the rear.

An English-language counterpart of the foreign-language documents has not been provided. The absence of a translation or an English-language counterpart document does not relieve the PTO from its duty to consider any submitted document (37 CFR §1.98 and MPEP§609).

Applicants respectfully request that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to

Deposit Account No. 06-1447. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1447.

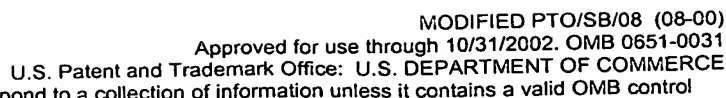
Respectfully submitted,

Date Jan 7, 2005

By Scott C. Nielson

FOLEY & LARDNER LLP  
Customer Number: 26371  
Telephone: (414) 297-5718  
Facsimile: (414) 297-4900

Scott C. Nielson  
Attorney for Applicant  
Registration No. 50,755



Substitute for form 1449B/PTO

Date Submitted: January 7, 2005

*(use as many sheets as necessary)*

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**Complete if Known**

<b>Application Number</b>	10/668,002
<b>Filing Date</b>	9/22/2003
<b>First Named Inventor</b>	Duane R. Pillar
<b>Group Art Unit</b>	3652
<b>Examiner Name</b>	To Be Determined
<b>Attorney Docket Number</b>	061300-0364

## U.S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				
	A29	DE	40 41 483	A1	Gajewski et al.	06-25-1992		
	A30	EP	0 894 739	A1	Loughman et al.	02-03-1999		
	A31	EP	0 791 506	A2	Kasa et al.	08-27-1997		
	A32	EP	0 630 831	A1	Winwood	12-28-1994		
	A33	EP	0 564 943	B1	Hirano et al.	10-13-1993		
	A34	EP	0 496 302	B1	Edelhoff	07-29-1992		
	A35	WO	2004/052756	A1	Pillar et al.	06-24-2004		

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

English language translation is attached.

**Burden Hour Statement:** This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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Substitute for form 1449B/PTO <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  Date Submitted: January 7, 2005 <i>(use as many sheets as necessary)</i>				<b>Complete if Known</b>		
				Application Number		10/668,002
				Filing Date		9/22/2003
				First Named Inventor		Duane R. Pillar
				Group Art Unit		3652
				Examiner Name		To Be Determined
Sheet	2	of	2	Attorney Docket Number		061300-0364

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		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				
	A36	WO	96/40573		Horning et al.	12-19-1996		
	A37	WO	96/32346		Wendelspiess	10-17-1996		

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.		T <sup>6</sup>
	A38	International Search Report and Written Opinion of the International Searching Authority for International Application No. PCT/US2004/031253, mailed December 21, 2004, (20 pages).		

Examiner Signature		Date Considered	
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